

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

K.W.	:	CIVIL ACTION
<i>A MINOR, BY AND THROUGH HIS</i>	:	
<i>PARENT AND GUARDIAN DELORES</i>	:	No. 16-5578
<i>WHITE</i> , et al.	:	
	:	
v.	:	
	:	
SOUTHEASTERN PENNSYLVANIA	:	
TRANSPORTATION AUTHORITY, et	:	
al.	:	

ORDER

AND NOW, this 30th day of March, 2018, for the reasons set forth in the accompanying Memorandum, it is ORDERED:

- Defendants Southeastern Pennsylvania Transportation Authority, Ronnie McGill, Pasquale T. Deon, Sr., Joseph M. Casey, Scott Sauer, and Michael R. Liberi's Motion for Partial Dismissal of Plaintiffs' Amended Complaint Pursuant to Federal Rule of Civil Procedure 12(b)(6) (Document 2) is GRANTED in part and DENIED in part without prejudice. The Motion is GRANTED insofar as Plaintiffs' claims pursuant to 42 U.S.C. § 1983 (Counts XI-XV of the Amended Complaint) are DISMISSED with prejudice. The balance of the Motion is DENIED without prejudice to reassertion on remand.
- Plaintiffs' federal law claims having been dismissed, the Court declines to exercise supplemental jurisdiction over Plaintiffs' state law claims pursuant to 28 U.S.C. § 1367(c)(3). This case shall be REMANDED to the Court of Common Pleas of Philadelphia County.

- Defendants New Flyer Industries Canada ULC and New Flyer of America Inc.'s Motion to Dismiss Plaintiffs' Amended Complaint or in the Alternative for Summary Judgment (Document 3) and Defendant Rosco, Inc.'s Motion to Dismiss Portions of Plaintiffs' Amended Complaint (Document 27) are DENIED without prejudice to reassertion in state court.

The Clerk of Court is directed to mark this case CLOSED.

BY THE COURT:

/s/ Juan R. Sánchez
Juan R. Sánchez, J.